

NATURE OF CHARGE: Adulteration, Section 501 (c), the strength of the article differed from that which it purported or was represented to possess since it was not antiseptic.

Misbranding, Section 502 (a), the following statements in the labeling of the article were false and misleading: (Package label) "Antiseptic Lanelle is highly germicidal. It kills germs on contact. It is especially deadly against the most common disease, infection spreading germs. Lanelle will serve as real protection against dermatitis and occupational skin infections. * * * use antiseptic Lanelle daily for protection against disease and infection * * * Antiseptic Lanelle's germicidal lather. * * * protection against infection. Plus another wonderful ingredient which greatly activates the lanolin, * * * All Antiseptic Lanelle's germicidal, * * * values have been proven by unbiased laboratory tests made with America's largest testing laboratories. * * * Germ Killing * * *" and (leaflet entitled "The Best Hand Soap In the World") "* * * Germicidal—positive medical protection against skin infection * * *." These statements represented and suggested that the article was antiseptic, whereas it was not antiseptic.

DISPOSITION: November 10, 1952. The Sanitary Soap Co., claimant, filed an answer denying the adulteration and misbranding of the product as alleged and served written interrogatories upon the Government which were answered. Thereafter, the claimant consented to the entry of a decree, as prayed for in the libel. Accordingly, judgment of condemnation was entered, and the court ordered that the product be destroyed.

3809. Adulteration and misbranding of clinical thermometers. U. S. v. 105 Clinical Thermometers. (F. D. C. No. 33314. Sample No. 3731-L.)

LIBEL FILED: June 27, 1952, Eastern District of Virginia.

ALLEGED SHIPMENT: On or about April 18, 1952, by the Dependable Thermometer Co., from Bronx, N. Y.

PRODUCT: 105 *clinical thermometers* at Norfolk, Va. Examination of 15 thermometers taken from the shipment showed that one was a hard shaker; that one failed to meet the test for retreating index; and that eight lost the pigment, in a water bath, from 1 to 19 of the engraved graduation marks.

LABEL, IN PART: (Carton) "One Certified Fever Thermometer * * * Type Rectal."

NATURE OF CHARGE: Adulteration, Section 501 (c), the quality of the article fell below that which it purported and was represented to possess, namely, "in compliance with the specifications of the National Bureau of Standards."

Misbranding, Section 502 (a), the label statement "GUARANTEE—This thermometer * * * Manufactured and tested in compliance with the specifications of the National Bureau of Standards * * *" was false and misleading since the article did not comply with such specifications.

DISPOSITION: October 10, 1952. Default decree of condemnation and destruction

DRUGS AND DEVICES ACTIONABLE BECAUSE OF FALSE AND MISLEADING CLAIMS

DRUGS FOR HUMAN USE

3810. Misbranding of S-L-Gran (soya lecithin) U. S. v. 53 Bottles * * *. (F. D. C. No. 33260. Sample No. 1979-L.)

LIBEL FILED: May 21, 1952, Southern District of Florida.

ALLEGED SHIPMENT: On or about December 28, 1951, and February 15, 1952, from Chicago, Ill.

PRODUCT: 53 7-ounce bottles of *S-L-Gran* (*soya lecithin*) in possession of the S-L-Gran Agency of Croft Hardware at Miami, Fla., together with a number of circulars entitled "Edible Soya Lecithin A Dietary Supplement."

RESULTS OF INVESTIGATION: The product was shipped in a drum, and upon receipt by the consignee, the product was repackaged into bottles and relabeled.

LABEL, IN PART: (Bottle) "S-L-Gran (Soya Lecithin) A natural food product that helps relieve poor circulation; reduces excess cholesterol, a fatty substance, in the blood."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements on the bottle label and in the above-mentioned circular accompanying the article were false and misleading. The statements represented and suggested that the article was effective to help relieve poor circulation, to remove excess fat from the liver, to promote liver functioning, to check tendency towards hardening of the arteries, to reduce blood pressure, to help solve the problem of psoriasis and arthritis, and to eradicate incapacitating and continuously painful arthritis calcination of the spine, arteriosclerosis, swollen finger joints, serious muscle spasms, failing blood supply, constriction of the arteries, stroke, impaired mobility, blurred vision, dizziness, foggy headaches, and ringing in the ears. The article was not effective for such purposes. The article was misbranded in the above respect while held for sale after shipment in interstate commerce.

DISPOSITION: June 11, 1952. Default decree of forfeiture and destruction.

3811. Misbranding of Vita-Long tonic. U. S. v. 1,338 Bottles * * *. (F. D. C. No. 33408. Sample No. 22502-L.)

LIBEL FILED: June 19, 1952, Southern District of Texas.

ALLEGED SHIPMENT: On or about October 22, 1951, by Dr. George S. Long Corp., from Pineville, La.

PRODUCT: 1,338 8-ounce bottles of *Vita-Long tonic* at Houston, Tex.

LABEL, IN PART: "Vita-Long To Be Used As A Vitamin Tonic For Young And Old."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in the labeling of the article, namely, in an accompanying leaflet entitled "Read what others say about Vita-Long," were false and misleading. The statements represented and suggested that the article would be effective in the treatment of fatigue, nervousness, loss of appetite, irritability, depression, poor complexion, arthritis, gall bladder trouble, stomach trouble, indigestion, rheumatism, and muscular aches and pains, whereas the article would not be effective for such purposes.

DISPOSITION: July 23, 1952. Default decree of condemnation and destruction.

3812. Misbranding of concentrated extract of alfalfa. U. S. v. 6 Bottles, etc. (F. D. C. No. 33288. Sample No. 27976-L.)

LIBEL FILED: June 17, 1952, Northern District of California.

ALLEGED SHIPMENT: On or about November 1, 1951, and May 2, 1952, by the Lucerne Laboratories of Utah, from American Fork, Utah.